

Committee Room,
Austin, Texas, November 4, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred

H. B. No. 57, "An Act fixing the
compensation of District Attorneys in
certain Judicial Districts in this State
and in Judicial Districts composed of
two (2) or more counties in one (1)
of which there is a city containing a
population of not less than ninety
thousand (90,000) inhabitants accord-
ing to the last preceding Federal
Census; providing such compensation
shall include the Five Hundred
(\$500.00) Dollars per year now al-
lowed by the Constitution; providing
that this Act shall not deprive such
District Attorneys of their expense al-
lowance; providing for the reapprop-
riation of all monies heretofore ap-
propriated to pay fees, salaries and
per diem accounts of the officers
named herein; providing for the dis-
position of fees, commissions and per-
quisites earned and collected by such
District Attorneys; providing that
nothing in this Act shall affect the
law now in existence with reference
to assistant district attorneys, in-
vestigators and stenographers, and de-
claring an emergency."

Has carefully compared same and
finds it correctly enrolled.

ATCHISON, Chairman.

EIGHTH DAY

(Tuesday, November 5, 1935)

The House met at 9:30 o'clock a.
m., pursuant to adjournment, and was
called to order by Speaker Stevenson.

The roll was called, and the Speaker
announced that there was not a quo-
rum present.

Mr. McCalla moved a call of the
House for the purpose of securing
and maintaining a quorum until 12:00
o'clock m., today, and the call was
duly ordered.

On motion of Mr. Lindsey, the Ser-
geant-at-Arms was instructed to bring
in all absent members within the city
who are not ill.

The roll of the House was again
called, and the following Members
were present:

| | |
|-------------------|-------------------|
| Mr. Speaker | Holland |
| Adamson | Huddleston |
| Adkins | Hunt |
| Aikin | Hunter |
| Alexander | Hyder |
| Alsup | Jackson |
| Ash | James |
| Atchison | Jefferson |
| Beck | Jones of Atascosa |
| Bergman | Jones of Falls |
| Bradbury | Jones of Shelby |
| Bradford | Jones of Wise |
| Broyles | Keefe |
| Burton | King |
| Butler of Brazos | Knetsch |
| Butler of Karnes | Lanning |
| Cagle | Latham |
| Caldwell | Leath |
| Calvert | Lemens |
| Canon | Leonard |
| Celaya | Lindsey |
| Clayton | Lotief |
| Collins | Lucas |
| Colquitt | Luker |
| Colson | Mauritz |
| Cooper | McCalla |
| Cowley | McConnell |
| Craddock | McFarland |
| Crossley | McKee |
| Daniel | McKinney |
| Davison of Fisher | Moffett |
| Davison | Moore |
| of Eastland | Morris |
| Dickison | Morrison |
| Dunagan | Morse |
| Dunlap of Hays | Newton |
| Dunlap of Kleberg | Nicholson |
| Duvall | Padgett |
| Dwyer | Palmer |
| England | Patterson |
| Fain | Payne |
| Farmer | Petsch |
| Fisher | Pope |
| Ford | Quinn |
| Fox | Reader |
| Frazer | Reed of Bowie |
| Fuchs | Reed of Dallas |
| Gibson | Riddle |
| Glass | Roach of Angelina |
| Good | Roach of Hunt |
| Graves | Roane |
| Gray | Roark |
| Greathouse | Roberts |
| Hankamer | Rogers |
| Hanna | Russell |
| Hardin | Rutta |
| Harris of Archer | Scarborough |
| Harris of Dallas | Sessions |
| Hartzog | Settle |
| Head | Shofner |
| Herzik | Smith |
| Hill | Spears |
| Hodges | Stanfield |
| Hofheinz | Steward |

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| Stinson | Walker |
| Stovall | Wells |
| Tarwater | Westfall |
| Tennyson | Wood of Harrison |
| Thornton | Wood of Montague |
| Tillery | Worley |
| Venable | Young |
| Waggoner | Youngblood |

Absent

| | |
|----------------|-------|
| Howard | Lange |
| Absent—Excused | |

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|-----------|---------|
| Bourne | Hoskins |
| Davis | Olsen |
| Fitzwater | |

The Speaker announced a quorum present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Our Heavenly Father, wilt Thou this morning consider each one of us, and the loved ones back home. May we not forget Thee, nor Thy will, for Thou art God, and before Thee we live and move and have our beings. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Bourne for today, on motion of Mr. Mauritz.

Mr. Davison of Fisher for yesterday, on motion of Mr. Fain.

Mr. Olsen for today, on motion of Mr. Farmer.

Mr. Hartzog for yesterday, on motion of Mr. McKee.

Mr. Padgett for yesterday, on motion of Mr. Ford.

Mr. Hoskins for today, on motion of Mr. Dunlap of Hays.

Mr. Spears for yesterday, on motion of Mr. Tennyson.

Mr. Knetsch for the balance of the day on motion of Mr. McKee.

The following members of the Conference Committee on House Bill No. 26, were granted temporary leaves of absence for this morning, on account of important committee work on House Bill No. 26:

Messrs. Morrison, Gray, Calvert, Russell and Jones of Atascosa.

The following member was granted leave of absence on account of illness:

Mr. Davis for today, on motion of Mr. Fuchs.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Roark and Mr. Pope:

H. B. No. 95, A bill to be entitled "An Act providing that every person in this State over the age of fourteen (14) years and subject to none of the disqualifications set out in said Act, shall have the right to drive and/or operate a motor vehicle, as that term is now defined by law, upon the public highways and roads in this State; and providing that in addition to the penalties now provided by law for violating certain named provisions of the law governing motor vehicles, county and district courts shall have the power to suspend the right of persons convicted of certain offenses from operating motor vehicles upon the public roads and highways of this State; etc., and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Pope, Mr. Alsup, Mr. Russell, Mr. Jones of Shelby, Mr. Hunt, Mr. Reed of Bowie, Mr. Jones of Atascosa, Mr. Leonard, Mr. Roach of Hunt, Mr. King, Mr. Crossley and Mr. England:

H. B. No. 96, A bill to be entitled "An Act imposing an occupation or excise tax of five cents on each gallon of motor fuel, or fractional part thereof, to accrue and be paid as provided in Chapter 44, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 240, Acts of the Regular Session of the Forty-fourth Legislature, as such law now exists, or as hereafter amended; fixing such tax as the maximum tax which may be collected by the State on the business of selling motor fuel; providing that thirty-five (35%) per cent of the occupation or excise tax on the business of selling motor fuel shall be placed in a fund known as 'county and road district highway fund'; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Adamson:

H. B. No. 97, A bill to be entitled "An Act giving L. B. Hammett and wife, Mrs. L. B. Hammett, consent of the Legislature to sue the State of Texas and State Highway Commission for damages resulting from the construction of State Highway No. 6, in and through Grayson County, Texas, fixing the venue of said suit, providing that limitation shall not be pleaded, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Frazer:

H. B. No. 98, A bill to be entitled "An Act creating a special road law for Robertson County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of August 12, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; etc., and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Wells:

H. B. No. 99, A bill to be entitled "An Act increasing the amount that may be allowed by county boards of trustees to the county superintendents of public instruction for expenditures for office and traveling expenses in counties with a population of not less than sixty thousand (60,000), nor more than sixty-one thousand (61,000), according to the last preceding Federal Census; repealing all laws or parts of laws, general or special, in conflict therewith, and declaring an emergency."

Referred to the Committee on Education.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Dunlap of Kleberg offered the following resolution:

H. C. R. No. 11, To grant J. D. George, The J. D. George Construction Company and the Valley Dredging Company, a Texas corporation of which J. D. George is President, permission to sue the State.

Whereas, The State Highway Commission of Texas heretofore at various dates, entered into several contracts with J. D. George, The J. D. George

Construction Company and the Valley Dredging Company, a corporation of which J. D. George of Willacy County, Texas, is President, as follows:

Grader rental contracts in Jefferson and Orange Counties, Texas, 1926 to 1928, with J. D. George Construction Company;

Maintenance contract in Jefferson and Orange Counties, Texas, 1925 and 1926, with J. D. George Construction Company;

Contract F A P 543, E. Jackson County, Texas, with J. D. George or J. D. George Construction Company;

Contract F A P 227 Titus County, Texas, with J. D. George.

Contract F A P 514 C. Harris County, Texas, with J. D. George.

Contract S P No. 71, Gonzales County, Texas, with Valley Dredging Company;

Contract F A P 636, McLennan County, Texas with Valley Dredging Company;

Contract S P 531, Austin County, Texas with Valley Dredging Company;

Contract F A P 471, Brazos County, Texas, with Valley Dredging Company;

Contract F A P 453, Freestone County, Texas with Valley Dredging Company;

Contract F A P 542, DeWitt County, Texas, with Valley Dredging Company; and

Whereas, It has been impossible to work out a satisfactory settlement with the said State Highway Commission of Texas upon the above enumerated contracts; and

Whereas, The said J. D. George maintains that he is entitled under the terms of the above mentioned contracts, to be paid for work done for the State; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said J. D. George is hereby granted permission to bring suit against the State of Texas and/or the State Highway Commission of Texas or both, in a court of competent jurisdiction, on behalf of himself, the J. D. George Construction Company and the Valley Dredging Company of which J. D. George is President, to determine the validity of said claims, and that service of citation and any and other necessary processes may be had upon the Chairman of the State Highway

Commission of Texas and the Attorney General of the State of Texas, under the rules of procedure which apply under the Statutes governing civil suits, which processes shall have the same force and effect as in other civil cases; be it further

Resolved, That the State Highway Commission of Texas be, and it is hereby, authorized to settle, or compromise with the said J. D. George, each or any of the above mentioned claims and pay for the same out of any available highway funds against which the said claims will be a proper charge; be it further

Resolved, That if it appears that the rights of any other person may be involved in any of the claims above enumerated, that such person may be impleaded in any suit or suits which may be filed under authority of this resolution, such impleading to be made under the rules of procedure governing in this State in civil suits; be it further

Resolved, That on account of the crowded condition of the calendar, the shortness of the present session and the importance of this matter to the said J. D. George, that the constitutional rule, requiring that all resolutions be read on three separate days, be suspended, and that this resolution become immediately effective.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

REQUESTING GOVERNOR TO GIVE CERTAIN INFORMATION IN REGARD TO STATE PLANNING BOARD

Mr. Farmer offered the following resolution:

Whereas, During the Regular Session of the Forty-fourth Legislature there was enacted a law providing for a Planning Board to make recommendations on various subjects of public interest; and

Whereas, One of those subjects was to report on feasible plans providing for the placing of people who are upon relief upon lands so equipped that such citizens might become self-sustaining, and become home-owners; and

Whereas, No report thus far has been made to the Legislature along

this line, and it is desired that some report be made; and

Whereas, The time is drawing near at hand when all funds provided by the State for relief will be exhausted, and thousands of citizens will still be homeless; therefore, be it

Resolved, That the Governor is hereby requested to give information to the House of any report that he may have from the Planning Board along this line, and also any feasible plan that he may have for meeting this condition to provide homes where citizens on relief may have a home and become self-sustaining; and, be it further

Resolved, That the Speaker appoint a committee of three from the House to convey a copy of this resolution to the Governor and receive his reply for the information of the House.

FARMER,
GREATHOUSE,
POPE.

The resolution was read second time.

Mr. Pope offered the following amendment to the resolution:

Amend the resolution by adding next before the last paragraph the following:

"That the Federal Resettlement Administrator be contacted and the scope and status of his administration in Texas be obtained and reported to the House of Representatives. That such report contain a statement of the allotment of homesteads to Texas and the locations thereof and the progress being made in the development of each homestead."

The amendment was adopted.

Mr. Alsup moved that the resolution be referred to the Committee on Agriculture.

On motion of Mr. Farmer, the motion of Mr. Alsup, was tabled.

Question recurring on the resolution, it was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Farmer, Greathouse and Pope.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 4, To grant depositors of Texas National Bank, Fort Worth, Texas, permission to sue the State.

Whereas, The Texas National Bank, of Fort Worth, Texas, a national banking corporation, was suspended by the Comptroller on or about January 30, 1930, and is now being liquidated, and prior to such suspension its officers had deposited with the State Treasurer assets of said bank, consisting of Thirteen Thousand (\$13,000.00) Dollars of United States Treasury Certificates and One Hundred Twenty-five Thousand (\$125,000.00) Dollars par value Federal Farm Loan Bonds, as collateral to secure the moneys deposited in said bank belonging to the State of Texas, which deposit of moneys at the time of the closing of said bank amounted to the sum of Sixty-nine Thousand Five Hundred Twenty-four Dollars and Twenty-two Cents (\$69,524.22) and after the closing of said bank, the receiver thereof, in order to recover said assets, paid to the State of Texas said sum of money in full, which payment the depositors in said bank have contended was an unlawful preference granted the State of Texas in violation of the National Banking Act; and

Whereas, Said depositors now claim that the Supreme Court of the United States has held in a similar case that such deposit of securities to secure the deposit of public moneys was void and violative of the National Banking Act, and that the moneys so paid to the State of Texas are claimed to rightfully belong to said bank for ratable distribution among all depositors alike; and

Whereas, Said disputed claim should be in law judicially determined, and the depositors claiming said sum adversely to the State of Texas given the right to have a judicial determination of their rights thereto as against the State of Texas; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the consent and permission of the State of Texas be, and the same is hereby, granted to the said depositors of said bank, and to the receiver of said bank, to institute and prosecute in a court of competent jurisdiction an action or suit to recover the moneys so claimed to have

been unlawfully paid to the State of Texas.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

CONCERNING CERTAIN RADIO BROADCASTING EQUIPMENT

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 6, Concerning certain radio broadcasting equipment.

Whereas, The citizenship of Texas is unusually interested in the procedure of the Texas Senate; and

Whereas, The Senate is, and will continue to devote its best efforts to provide adequate and wholesome legislation for the common good; and

Whereas, There are many outstanding and profound discussions of these questions in which the people are interested; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Board of Control of the State of Texas is hereby instructed to ascertain the cost of a radio broadcasting system in the Senate, with extensions to the desks of the President of the Senate, Secretary of the Senate, each Senator's desk, and one extension in each committee room, in order that the people of Texas may be privileged to listen and enjoy the proceedings of the Senate and the House of Representatives; and radio broadcasting equipment shall likewise be installed in the office of the Governor. The Board of Control is requested to report its findings to the Regular Session of the Forty-fifth Legislature, and the sum of One Hundred (\$100.00) Dollars is hereby appropriated out of the Contingent Expense Fund for the Second Called Session of the Forty-fourth Legislature for engineering and draftsmen services and expenses in preparing the preliminary estimate; and, be it further provided

That, The Board of Control shall make a survey as to the cost of establishment of a coffee shop and/or cafe in the Capitol Building.

The resolution was read second time.

On motion of Mr. Wells, the resolution was tabled.

TO GRANT JUDGE T. O. DAVIS PERMISSION TO BE ABSENT FROM THE STATE

Mr. Alsup offered the following resolution:

H. C. R. No. 13, Granting Judge T. O. Davis permission to be absent from the State.

Be it resolved by the House of Representatives, the Senate concurring, That Judge T. O. Davis, Judge of the 123rd Judicial District Court of Texas, be, and he is hereby, granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the years 1935 and 1936.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, November 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 12, Resolved that the Enrolling Clerk of the House be instructed to amend the caption of House Bill No. 57 to conform to the body of the bill.

H. C. R. No. 13, Granting Judge T. O. Davis, Judge of the 123rd Judicial District Court of Texas, permission to be absent from the State of Texas.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 77 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 77, A bill to be entitled "An Act defining the term 'open saloon'; creating a Board of Liquor Control; prescribing rules and regulations, and regulating the manufacture, sale, importation, transportation, and possession of alcoholic liquors; providing for the right of local option; etc., and declaring an emergency."

The bill having been read second time on yesterday, with committee amendment by Mr. Petsch, as substituted by amendment by Mr. Morse,

and substitute amendment by Mr. Bradbury, for the amendment by Mr. Morse, pending.

Mr. Hofheinz moved to table the substitute amendment by Mr. Bradbury.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows:

Yeas 69, nays 68.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—66

| | |
|-------------------|----------------|
| Ash | King |
| Bergman | Leath |
| Butler of Karnes | Leonard |
| Caldwell | Luker |
| Celaya | McCalla |
| Clayton | McKee |
| Collins | McKinney |
| Colquitt | Moore |
| Colson | Morse |
| Crossley | Newton |
| Daniel | Nicholson |
| Dickison | Padgett |
| Dunagan | Patterson |
| Dunlap of Kleberg | Payne |
| Duvall | Pope |
| Dwyer | Quinn |
| Ford | Reader |
| Frazer | Reed of Dallas |
| Fuchs | Riddle |
| Good | Roane |
| Greathouse | Roark |
| Hankamer | Roberts |
| Hanna | Rutta |
| Harris of Dallas | Scarborough |
| Hartzog | Settle |
| Herzik | Smith |
| Hill | Spears |
| Hofheinz | Stanfield |
| Holland | Steward |
| Jackson | Stinson |
| James | Thornton |
| Jefferson | Waggoner |
| Jones of Falls | Young |

Nays—68

| | |
|-----------|-------------------|
| Adamson | Butler of Brazos |
| Adkins | Calvert |
| Aikin | Canon |
| Alexander | Cowley |
| Alsup | Craddock |
| Beck | Davison of Fisher |
| Bradbury | Davisson |
| Broyles | of Eastland |
| Burton | Dunlap of Hays |

| | |
|-------------------|-------------------|
| England | McFarland |
| Fain | Moffett |
| Fisher | Morris |
| Fox | Morrison |
| Gibson | Palmer |
| Glass | Petsch |
| Graves | Reed of Bowie |
| Gray | Roach of Angelina |
| Hardin | Roach of Hunt |
| Harris of Archer | Rogers |
| Head | Russell |
| Hodges | Sessions |
| Huddleston | Shofner |
| Hunt | Stovall |
| Hunter | Tarwater |
| Jones of Atascosa | Tennyson |
| Jones of Shelby | Tillery |
| Jones of Wise | Venable |
| Keefe | Walker |
| Lanning | Wells |
| Latham | Westfall |
| Lemens | Wood of Harrison |
| Lindsey | Wood of Montague |
| Lotief | Worley |
| Mauritz | Youngblood |
| McConnell | |

Present—Not Voting

| | |
|----------|-------|
| Atchison | Hyder |
| Cooper | Lucas |
| Farmer | |

Absent

| | |
|----------|--------|
| Bradford | Howard |
| Cagle | Lange |

Absent—Excused

| | |
|-----------|---------|
| Bourne | Hoskins |
| Davis | Knetsch |
| Fitzwater | Olsen |

PAIRED

Mr. Lucas (present), who would vote "nay," with Mr. Hoskins (absent), who would vote "yea."

Mr. Atchison (present) who would vote "nay," with Mr. Howard (absent), who would vote "yea."

Mr. Hyder (present) who would vote "nay," with Mr. Knetsch (absent), who would vote "yea."

Mr. Cooper (present), who would vote "nay," with Mr. Lange (absent), who would vote "yea."

Mr. Farmer (present), who would vote "nay," with Mr. Olsen (absent), who would vote "yea."

The Speaker announced that the motion to table was lost.

REASON FOR VOTE

Ordinarily I am reluctant to pair with another member, but I am pair-

ing today with Mr. Hoskins. It is very urgent that Mr. Hoskins be away today on business of the State; however, he would not have gone had not someone agreed to pair with him.

LUCAS.

Question recurring on the substitute amendment by Mr. Bradbury, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas 70, nays 68.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—67

| | |
|-------------------|-------------------|
| Adamson | Jones of Wise |
| Adkins | Keefe |
| Aikin | Lanning |
| Alexander | Latham |
| Alsup | Lemens |
| Beck | Lindsey |
| Bradbury | Lotief |
| Broyles | Mauritz |
| Burton | McConnell |
| Calvert | McFarland |
| Canon | Moffett |
| Cowley | Morris |
| Craddock | Morrison |
| Davison of Fisher | Palmer |
| Davisson | Petsch |
| of Eastland | Reed of Bowie |
| Dunlap of Hays | Roach of Angelina |
| England | Roach of Hunt |
| Fain | Rogers |
| Fisher | Russell |
| Fox | Sessions |
| Gibson | Shofner |
| Glass | Stovall |
| Graves | Tarwater |
| Gray | Tennyson |
| Hardin | Tillery |
| Harris of Archer | Venable |
| Head | Walker |
| Hodges | Wells |
| Huddleston | Westfall |
| Hunt | Wood of Harrison |
| Hunter | Wood of Montague |
| Jones of Atascosa | Worley |
| Jones of Shelby | Youngblood |

Nays—66

| | |
|------------------|----------|
| Ash | Clayton |
| Bergman | Collins |
| Butler of Brazos | Colquitt |
| Butler of Karnes | Colson |
| Cagle | Crossley |
| Caldwell | Daniel |
| Celaya | Dickison |

| | |
|------------------|----------------|
| Dunagan | McKinney |
| Duvall | Moore |
| Dwyer | Morse |
| Ford | Newton |
| Frazer | Nicholson |
| Fuchs | Padgett |
| Good | Patterson |
| Greathouse | Pope |
| Hankamer | Quinn |
| Hanna | Reader |
| Harris of Dallas | Reed of Dallas |
| Hartzog | Riddle |
| Herzik | Roane |
| Hill | Roark |
| Hofheinz | Roberts |
| Holland | Rutta |
| Jackson | Scarborough |
| James | Settle |
| Jefferson | Smith |
| Jones of Falls | Spears |
| King | Stanfield |
| Leath | Steward |
| Leonard | Stinson |
| Luker | Thornton |
| McCalla | Waggoner |
| McKee | Young |

Present—Not Voting

| | |
|----------|-------|
| Atchison | Hyder |
| Cooper | Lucas |
| Farmer | Payne |

Absent

| | |
|-------------------|--------|
| Bradford | Howard |
| Dunlap of Kleberg | Lange |

Absent—Excused

| | |
|-----------|---------|
| Bourne | Hoskins |
| Davis | Knetsch |
| Fitzwater | Olsen |

PAIRED

Mr. Payne (present), who would vote "nay," with Mr. Davis (absent), who would vote "yea."

Mr. Hyder (present), who would vote "yea," with Mr. Knetsch (absent), who would vote "nay."

Mr. Lucas (present), who would vote "yea," with Mr. Hoskins (absent), who would vote "nay."

Mr. Atchison (present), who would vote "yea," with Mr. Howard (absent), who would vote "nay."

Mr. Cooper (present), who would vote "yea," with Mr. Lange (absent), who would vote "nay."

Mr. Farmer (present), who would vote "yea," with Mr. Olsen (absent), who would vote "nay."

The Speaker announced that the substitute amendment by Mr. Bradbury was adopted.

Question—Shall the committee amendment as substituted be adopted?

REASON FOR VOTE

The reason I am supporting House Bill 87, the Bradbury bill, is that the control and sale by the drink will put the sale of liquor in places that there cannot be any regulation as to the hours they are to stay open, as such places can be kept open twenty-four hours per day, seven days per week, and never close at any time. Another reason is that the liquor business has been the worst robber and thief since time began. There have been more of its victims fallen by the way side through the progress of time than any other cause. Helpless women and little children have been made charges of society from its ruthless rage for profit and destruction.

As for comparison, the liquor business is like a den of rattle snakes that cannot be dug out and exterminated. Prohibition failed to kill the liquor business, but the den was not dug out, so the next best thing to do is to pass the best regulation to curb its viciousness.

J. W. YOUNGBLOOD.

MESSAGE FROM THE SENATE

Austin, Texas, November 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has adopted the following:

S. C. R. No. 9, Resolved by the Senate of Texas, the House of Representatives concurring, That the members of the Legislature shall go in a body to the State Cemetery to attend the services of James Austin Sylvester, deceased, here at 5:00 o'clock p. m.

Respectfully,

BOB BARKER,

Secretary of the Senate.

RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

H. C. R. No. 12, Authorizing certain correction in House Bill No. 57:

S. C. R. No. 5, Relative to employment of certain war veterans.

H. C. R. No. 13, Granting Judge T. O. Davis permission to be absent from the State.

RECESS

On motion of Mr. Westfall, the House at 12:10 o'clock p. m., took recess to 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

IN HONOR OF JAMES AUSTIN SYLVESTER

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 9, In honor of James Austin Sylvester.

Whereas, Texas is now in its Centennial Year, and the people of Texas and its public officials should pause to honor the heroes of this great commonwealth; and

Whereas, The State of Texas has brought the remains of James Austin Sylvester, bearer of Texas' lone battle flag at San Jacinto, and principal captor of General Santa Anna, from New Orleans, and will re-inter his sacred remains in the State Cemetery, here in Austin; and

Whereas, Very few of the members of the Legislature of the State have ever visited the State Cemetery and become acquainted with the monuments to the heroes therein erected, and each member of the Legislature should become acquainted with this hallowed burial ground; and

Whereas, It is proper and fitting that the members of the Senate and the House of Representatives should do honor to the memory of James Austin Sylvester; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the members of the Legislature shall go in a body to the State Cemetery to attend the services of this great deceased hero, at 5:00 o'clock p. m., today.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, November 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

H. B. No. 71, A bill to be entitled "An Act authorizing school trustees in all counties of the State, having a population of not less than two hundred ninety thousand (290,000) or more than three hundred twenty thousand (320,000) inhabitants according to the last preceding Federal Census to issue interest bearing warrants in payment of salaries of employees; specifying that the rate of interest shall not exceed four per cent (4%) per annum; limiting the amount of warrants to be issued; etc., and declaring an emergency."

(With amendments.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO 77 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 77, relative to the manufacture and sale of alcoholic liquors, on its passage to engrossment.

The bill having heretofore been read second time, with committee amendment by Mr. Petsch, as substituted by amendment by Mr. Bradbury, pending.

Mr. Rogers offered a substitute for the amendment by Mr. Bradbury, which substitute amendment was ordered not printed in the Journal, same being the printed copy of House Bill No. 80, by Mr. Knetsch and Mr. Roane.

Mr. Bradbury moved to table the substitute amendment by Mr. Rogers.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—71

| | |
|-----------|----------|
| Adamson | Ash |
| Adkins | Beck |
| Aikin | Bradbury |
| Alexander | Bradford |
| Alsup | Broyles |

| | |
|-------------------|-------------------|
| Burton | Keefe |
| Cagle | Lanning |
| Caldwell | Latham |
| Canon | Lindsey |
| Cooper | Lotief |
| Cowley | McConnell |
| Craddock | McFarland |
| Daniel | Moffett |
| Davison of Fisher | Morris |
| Davisson | Morrison |
| of Eastland | Palmer |
| Dunlap of Hays | Payne |
| England | Petsch |
| Fain | Quinn |
| Farmer | Reed of Bowie |
| Fisher | Roach of Angelina |
| Fox | Roach of Hunt |
| Gibson | Russell |
| Glass | Sessions |
| Graves | Shofner |
| Gray | Stovall |
| Hardin | Tarwater |
| Harris of Archer | Tennyson |
| Hodges | Venable |
| Huddleston | Walker |
| Hunt | Wells |
| Hunter | Westfall |
| Jones of Atascosa | Wood of Harrison |
| Jones of Falls | Wood of Montague |
| Jones of Shelby | Worley |
| Jones of Wise | Youngblood |

Nays—59

| | |
|-------------------|----------------|
| Bergman | King |
| Butler of Brazos | Leonard |
| Butler of Karnes | Luker |
| Celaya | McCalla |
| Clayton | McKee |
| Collins | McKinney |
| Colquitt | Moore |
| Colson | Morse |
| Crossley | Newton |
| Dickison | Nicholson |
| Dunagan | Padgett |
| Dunlap of Kleberg | Patterson |
| Duvall | Reader |
| Dwyer | Reed of Dallas |
| Ford | Riddle |
| Frazer | Roane |
| Fuchs | Roark |
| Good | Roberts |
| Greathouse | Rogers |
| Hankamer | Scarborough |
| Hanna | Settle |
| Harris of Dallas | Smith |
| Hartzog | Spears |
| Herzik | Stanfield |
| Hill | Steward |
| Hofheinz | Stinson |
| Holland | Thornton |
| Jackson | Waggoner |
| James | Young |
| Jefferson | |

Present—Not Voting

| | |
|----------------|---------|
| Atchison | Lucas |
| Hyder | Rutta |
| Absent | |
| Head | Lemens |
| Howard | Mauritz |
| Lange | Pope |
| Leath | Tillery |
| Absent—Excused | |
| Bourne | Hoskins |
| Calvert | Knetsch |
| Davis | Olsen |
| Fitzwater | |

PAIRED

Mr. Atchison (present), who would vote "yea," with Mr. Howard (absent), who would vote "nay."

Mr. Rutta (present), who would vote "nay," with Mr. Calvert (absent), who would vote "yea."

Mr. Lucas (present), who would vote "yea," with Mr. Hoskins (absent), who would vote "nay."

Mr. Hyder (present), who would vote "yea," with Mr. Knetsch (absent), who would vote "nay."

Mr. Westfall moved the previous question on the passage of House Bill No. 77 to engrossment, and the motion was not seconded.

Mr. Petsch moved the previous question on the pending amendment, amendments on the Speaker's desk and the passage of House Bill No. 77 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—58

| | |
|-------------------|-------------------|
| Adkins | Fisher |
| Alexander | Fox |
| Alsup | Graves |
| Atchison | Gray |
| Beck | Hardin |
| Bradford | Harris of Archer |
| Broyles | Head |
| Burton | Huddleston |
| Cagle | Hunter |
| Craddock | Jones of Atascosa |
| Davison of Fisher | Jones of Shelby |
| Dunlap of Hays | Jones of Wise |
| England | Keefe |
| Fain | Lanning |
| Farmer | Lindsey |

| | |
|-------------------|------------------|
| Lucas | Settle |
| McConnell | Shofner |
| McFarland | Stinson |
| Moffett | Stovall |
| Morris | Tarwater |
| Morrison | Tennyson |
| Palmer | Venable |
| Payne | Walker |
| Petsch | Wells |
| Quinn | Westfall |
| Reed of Bowie | Wood of Harrison |
| Roach of Angelina | Wood of Montague |
| Russell | Worley |
| Sessions | Youngblood |

Nays—75

| | |
|-------------------|----------------|
| Adamson | Hunt |
| Aikin | Jackson |
| Ash | James |
| Bergman | Jefferson |
| Butler of Brazos | Jones of Falls |
| Butler of Karnes | King |
| Caldwell | Latham |
| Canon | Leonard |
| Celaya | Lotief |
| Collins | Luker |
| Colquitt | McCalla |
| Colson | McKee |
| Cooper | McKinney |
| Cowley | Moore |
| Crossley | Morse |
| Davisson | Newton |
| of Eastland | Nicholson |
| Dickison | Padgett |
| Dunagan | Patterson |
| Dunlap of Kleberg | Pope |
| Duvall | Reader |
| Dwyer | Reed of Dallas |
| Ford | Riddle |
| Frazer | Roach of Hunt |
| Fuchs | Roane |
| Gibson | Roark |
| Glass | Roberts |
| Good | Rogers |
| Greathouse | Rutta |
| Hankamer | Scarborough |
| Hanna | Smith |
| Harris of Dallas | Spears |
| Hartzog | Stanfield |
| Herzik | Steward |
| Hill | Thornton |
| Hodges | Tillery |
| Hofheinz | Waggoner |
| Holland | Young |

Absent

| | |
|----------|---------|
| Bradbury | Lange |
| Clayton | Leath |
| Daniel | Lemens |
| Howard | Mauritz |
| Hyder | |

Absent—Excused

| | |
|-----------|---------|
| Bourne | Hoskins |
| Calvert | Knetsch |
| Davis | Olsen |
| Fitzwater | |

Mr. Davisson of Eastland moved to reconsider the vote by which the substitute amendment by Mr. Bradbury, was, on this morning, adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—61

| | |
|----------------------|-------------------|
| Adkins | Hunter |
| Aikin | Jones of Atascosa |
| Alexander | Jones of Shelby |
| Alsup | Jones of Wise |
| Beck | Keefe |
| Bradbury | Lanning |
| Bradford | Latham |
| Broyles | Lindsey |
| Burton | McConnell |
| Cagle | McFarland |
| Canon | Moffett |
| Cowley | Morris |
| Craddock | Palmer |
| Daniel | Petsch |
| Davisson of Fisher | Reed of Bowie |
| Davisson of Eastland | Roach of Angelina |
| Dunlap of Hays | Roach of Hunt |
| England | Rogers |
| Fain | Russell |
| Fisher | Sessions |
| Fox | Shofner |
| Gibson | Tarwater |
| Graves | Tennyson |
| Gray | Venable |
| Hardin | Walker |
| Harris of Archer | Wells |
| Head | Westfall |
| Hodges | Wood of Harrison |
| Huddleston | Wood of Montague |
| Hunt | Worley |
| | Youngblood |

Nays—68

| | |
|------------------|-------------------|
| Adamson | Dickison |
| Ash | Dunagan |
| Bergman | Dunlap of Kleberg |
| Butler of Brazos | Duvall |
| Butler of Karnes | Dwyer |
| Caldwell | Ford |
| Celaya | Frazer |
| Clayton | Fuchs |
| Collins | Glass |
| Colquitt | Good |
| Colson | Greathouse |
| Crossley | Hankamer |

| | |
|------------------|----------------|
| Hanna | Nicholson |
| Harris of Dallas | Padgett |
| Hartzog | Patterson |
| Herzik | Payne |
| Hill | Pope |
| Hofheinz | Quinn |
| Holland | Reader |
| Jackson | Reed of Dallas |
| James | Riddle |
| Jefferson | Roane |
| Jones of Falls | Roark |
| King | Roberts |
| Leath | Scarborough |
| Leonard | Settle |
| Lotief | Smith |
| Luker | Spears |
| McCalla | Stanfield |
| McKee | Steward |
| McKinney | Stinson |
| Moore | Thornton |
| Morse | Waggoner |
| Newton | Young |

Present—Not Voting

| | |
|----------|-------|
| Atchison | Lucas |
| Cooper | Rutta |
| Farmer | |

Absent

| | |
|--------|---------|
| Howard | Mauritz |
| Hyder | Stovall |
| Lange | Tillery |
| Lemens | |

Absent—Excused

| | |
|-----------|----------|
| Bourne | Hoskins |
| Calvert | Knetsch |
| Davis | Morrison |
| Fitzwater | Olsen |

PAIRED

Mr. Atchison (present), who would vote "yea," with Mr. Howard (absent), who would vote "nay."

Mr. Cooper (present), who would vote "yea," with Mr. Lange (absent), who would vote "nay."

Mr. Lucas (present), who would vote "yea," with Mr. Hoskins (absent), who would vote "nay."

Mr. Rutta (present), who would vote "nay," with Mr. Calvert (absent), who would vote "yea."

Mr. Morse moved the previous question on the motion to reconsider, and the amendment by Mr. Bradbury, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—77

| | |
|-------------------|----------------|
| Ash | Leonard |
| Atchison | Luker |
| Bergman | McCalla |
| Butler of Brazos | McFarland |
| Butler of Karnes | McKee |
| Cagle | McKinney |
| Caldwell | Moore |
| Celaya | Morse |
| Clayton | Newton |
| Collins | Nicholson |
| Colquitt | Padgett |
| Colson | Patterson |
| Crossley | Petsch |
| Dunagan | Pope |
| Dunlap of Kleberg | Quinn |
| Duvall | Reader |
| Dwyer | Reed of Dallas |
| Fain | Riddle |
| Fisher | Roach of Hunt |
| Ford | Roane |
| Frazer | Roark |
| Fuchs | Roberts |
| Glass | Russell |
| Good | Rutta |
| Gray | Scarborough |
| Greathouse | Settle |
| Hankamer | Shofner |
| Hanna | Smith |
| Harris of Dallas | Spears |
| Hartzog | Stanfield |
| Herzik | Steward |
| Hill | Stinson |
| Hofheinz | Thornton |
| Holland | Tillery |
| Jackson | Walker |
| James | Westfall |
| Jefferson | Worley |
| Jones of Shelby | Young |
| Leath | |

Nays—57

| | |
|-------------------|-------------------|
| Adamson | Fox |
| Adkins | Gibson |
| Aikin | Graves |
| Alsup | Hardin |
| Beck | Harris of Archer |
| Bradbury | Head |
| Bradford | Hodges |
| Broyles | Huddleston |
| Burton | Hunt |
| Canon | Hunter |
| Cooper | Hyder |
| Cowley | Jones of Atascosa |
| Craddock | Jones of Wise |
| Daniel | Keefe |
| Davison of Fisher | Lanning |
| Davisson | Latham |
| of Eastland | Lindsey |
| Dickison | Lotief |
| Dunlap of Hays | Lucas |
| England | McConnell |
| Farmer | Moffett |

| | |
|-------------------|------------------|
| Morris | Tarwater |
| Morrison | Tennyson |
| Palmer | Venable |
| Reed of Bowie | Waggoner |
| Roach of Angelina | Wells |
| Rogers | Wood of Harrison |
| Sessions | Wood of Montague |
| Stovall | Youngblood |

Absent

| | |
|----------------|---------|
| Alexander | Lange |
| Howard | Lemens |
| Jones of Falls | Mauritz |
| King | Payne |

Absent—Excused

| | |
|-----------|---------|
| Bourne | Hoskins |
| Calvert | Knetsch |
| Davis | Olsen |
| Fitzwater | |

Question recurring on the motion to reconsider the vote by which the substitute amendment by Mr. Bradbury was adopted, yeas and nays were demanded.

The motion to reconsider was lost by the following vote:

Yeas—62

| | |
|-------------------|------------------|
| Ash | Jefferson |
| Bergman | Jones of Falls |
| Butler of Brazos | King |
| Butler of Karnes | Leath |
| Caldwell | Leonard |
| Celaya | McCalla |
| Clayton | McKee |
| Collins | McKinney |
| Colquitt | Moore |
| Colson | Morse |
| Crossley | Newton |
| Dickison | Nicholson |
| Dunagan | Padgett |
| Dunlap of Kleberg | Patterson |
| Duvall | Pope |
| Dwyer | Reader |
| Ford | Reed of Dallas |
| Frazer | Riddle |
| Fuchs | Roane |
| Good | Roberts |
| Greathouse | Rutta |
| Hankamer | Scarborough |
| Hanna | Settle |
| Harris of Dallas | Smith |
| Hartzog | Spears |
| Herzik | Stanfield |
| Hill | Steward |
| Hofheinz | Stinson |
| Holland | Thornton |
| Jackson | Wood of Montague |
| James | Young |

Yeas—69

| | |
|-------------------|-------------------|
| Adamson | Jones of Atascosa |
| Adkins | Jones of Shelby |
| Aikin | Jones of Wise |
| Alexander | Keefe |
| Alsup | Lanning |
| Beck | Latham |
| Bradbury | Lindsey |
| Bradford | Lotief |
| Broyles | McConnell |
| Burton | McFarland |
| Cagle | Moffett |
| Canon | Morris |
| Cowley | Morrison |
| Craddock | Palmer |
| Daniel | Petsch |
| Davison of Fisher | Quinn |
| Davisson | Reed of Bowie |
| of Eastland | Roach of Angelina |
| Dunlap of Hays | Roach of Hunt |
| England | Rogers |
| Fain | Russell |
| Farmer | Sessions |
| Fox | Shofner |
| Gibson | Stovall |
| Glass | Tarwater |
| Graves | Tennyson |
| Gray | Tillery |
| Hardin | Venable |
| Harris of Archer | Waggoner |
| Head | Walker |
| Hodges | Wells |
| Huddleston | Westfall |
| Hunt | Wood of Harrison |
| Hunter | Worley |
| Hyder | Youngblood |

Present—Not Voting

| | |
|----------|-------|
| Atchison | Luker |
| Cooper | Payne |
| Lucas | Roark |

Absent

| | |
|--------|---------|
| Fisher | Lemens |
| Howard | Mauritz |
| Lange | |

Absent—Excused

| | |
|-----------|---------|
| Bourne | Hoskins |
| Calvert | Knetsch |
| Davis | Olsen |
| Fitzwater | |

PAIRED

Mr. Payne (present), who would vote "yea," with Mr. Davis (absent), who would vote "nay."

Mr. Atchison (present), who would vote "nay," with Mr. Howard (absent), who would vote "yea."

Mr. Luker (present), who would vote "yea," with Mr. Fisher (absent), who would vote "nay."

Mr. Lucas (present), who would vote "nay," with Mr. Hoskins (absent), who would vote "yea."

Mr. Cooper (present), who would vote "nay," with Mr. Lange (absent), who would vote "yea."

Mr. Roark (present), who would vote "yea," with Mr. Calvert (absent), who would vote "nay."

Question then recurring on the committee amendment, as substituted by amendment by Mr. Bradbury, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows:

Yeas 66, nays 65.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—66

| | |
|-------------------|-------------------|
| Adamson | Jones of Atascosa |
| Adkins | Jones of Shelby |
| Aikin | Jones of Wise |
| Alexander | Keefe |
| Alsup | Lanning |
| Beck | Latham |
| Bradbury | Lindsey |
| Bradford | McConnell |
| Broyles | McFarland |
| Burton | Moffett |
| Cagle | Morris |
| Canon | Morrison |
| Cowley | Palmer |
| Craddock | Petsch |
| Daniel | Reed of Bowie |
| Davison of Fisher | Roach of Angelina |
| Davison | Roach of Hunt |
| of Eastland | Rogers |
| Dunlap of Hays | Russell |
| England | Sessions |
| Fain | Shofner |
| Farmer | Stovall |
| Fox | Tarwater |
| Gibson | Tennyson |
| Glass | Tillery |
| Graves | Venable |
| Gray | Walker |
| Hardin | Wells |
| Harris of Archer | Westfall |
| Head | Wood of Harrison |
| Hodges | Wood of Montague |
| Huddleston | Worley |
| Hunt | Youngblood |
| Hunter | |

Nays—63

| | |
|------------------|------------------|
| Ash | Butler of Karnes |
| Bergman | Caldwell |
| Butler of Brazos | Celaya |

| | |
|-------------------|----------------|
| Clayton | Leonard |
| Collins | McCalla |
| Colquitt | McKee |
| Colson | McKinney |
| Crossley | Moore |
| Dickison | Morse |
| Dunagan | Newton |
| Dunlap of Kleberg | Nicholson |
| Duwall | Padgett |
| Dwyer | Patterson |
| Ford | Pope |
| Frazer | Quinn |
| Fuchs | Reader |
| Good | Reed of Dallas |
| Greathouse | Riddle |
| Hankamer | Roane |
| Hanna | Roberts |
| Harris of Dallas | Rutta |
| Hartzog | Scarborough |
| Herzik | Settle |
| Hill | Smith |
| Hofheinz | Spears |
| Holland | Stanfield |
| Jackson | Steward |
| James | Stinson |
| Jefferson | Thornton |
| Jones of Falls | Waggoner |
| King | Young |
| Leath | |

Present—Not Voting

| | |
|----------|-------|
| Atchison | Luker |
| Cooper | Payne |
| Hyder | Roark |
| Lucas | |

Absent

| | |
|--------|---------|
| Fisher | Lemens |
| Howard | Lotief |
| Lange | Mauritz |

Absent—Excused

| | |
|-----------|---------|
| Bourne | Hoskins |
| Calvert | Knetsch |
| Davis | Olsen |
| Fitzwater | |

PAIRED

Mr. Luker (present), who would vote "nay," with Mr. Fisher (absent), who would vote "yea."

Mr. Hyder (present), who would vote "yea," with Mr. Knetsch (absent), who would vote "nay."

Mr. Cooper (present), who would vote "yea," with Mr. Lange (absent), who would vote "nay."

Mr. Lucas (present), who would vote "yea," with Mr. Hoskins (absent), who would vote "nay."

Mr. Atchison (present), who would vote "yea," with Mr. Howard (absent), who would vote "nay."

Mr. Payne (present), who would vote "nay," with Mr. Davis (absent), who would vote "yea."

Mr. Roark (present), who would vote "nay," with Mr. Calvert (absent), who would vote "yea."

The Speaker announced that the committee amendment, as substituted by amendment by Mr. Bradbury, was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 77 was then passed to engrossment by the following vote:

Yeas—74

| | |
|-------------------|-------------------|
| Adamson | Jones of Atascosa |
| Adkins | Jones of Shelby |
| Aikin | Jones of Wise |
| Alexander | Keefe |
| Alsup | Lanning |
| Beck | Latham |
| Bergman | Lemens |
| Bradbury | Lindsey |
| Bradford | Lotief |
| Broyles | McConnell |
| Burton | McFarland |
| Butler of Brazos | Moffett |
| Cagle | Morris |
| Canon | Morrison |
| Cowley | Palmer |
| Craddock | Petsch |
| Daniel | Quinn |
| Davison of Fisher | Reed of Bowie |
| Davisson | Roach of Angelina |
| of Eastland | Roach of Hunt |
| Dunlap of Hays | Rogers |
| England | Russell |
| Fain | Sessions |
| Farmer | Shofner |
| Fox | Stinson |
| Frazer | Stovall |
| Gibson | Tennyson |
| Glass | Tillery |
| Graves | Venable |
| Gray | Waggoner |
| Hardin | Walker |
| Harris of Archer | Wells |
| Head | Westfall |
| Hodges | Wood of Harrison |
| Huddleston | Wood of Montague |
| Hunt | Worley |
| Hunter | Youngblood |
| Hyder | |

Nays—58

| | |
|------------------|----------|
| Ash | Collins |
| Butler of Karnes | Colquitt |
| Caldwell | Colson |
| Celaya | Crossley |
| Clayton | Dickison |

| | |
|-------------------|----------------|
| Dunagan | McCalla |
| Dunlap of Kleberg | McKee |
| Duvall | McKinney |
| Dwyer | Moore |
| Ford | Morse |
| Fuchs | Newton |
| Good | Nicholson |
| Greathouse | Padgett |
| Hankamer | Patterson |
| Hanna | Pope |
| Harris of Dallas | Reader |
| Hartzog | Reed of Dallas |
| Herzik | Riddle |
| Hill | Roane |
| Hofheinz | Roberts |
| Holland | Rutta |
| Jackson | Scarborough |
| James | Settle |
| Jefferson | Smith |
| Jones of Falls | Spears |
| King | Stanfield |
| Knetsch | Steward |
| Leath | Thornton |
| Leonard | Young |

Present—Not Voting

| | |
|----------|-------|
| Atchison | Luker |
| Cooper | Payne |
| Lucas | Roark |

Absent

| | |
|--------|----------|
| Fisher | Mauritz |
| Howard | Tarwater |
| Lange | |

Absent—Excused

| | |
|---------|-----------|
| Bourne | Fitzwater |
| Calvert | Hoskins |
| Davis | Olsen |

PAIRED

Mr. Atchison (present), who would vote "yea," with Mr. Howard (absent), who would vote "nay."

Mr. Cooper (present), who would vote "yea," with Mr. Lange (absent), who would vote "nay."

Mr. Luker (present), who would vote "nay," with Mr. Fisher (absent), who would vote "yea."

Mr. Lucas (present), who would vote "yea," with Mr. Hoskins (absent), who would vote "nay."

Mr. Roark (present), who would vote "nay," with Mr. Calvert (absent), who would vote "yea."

Mr. Payne (present), who would vote "nay," with Mr. Davis (absent), who would vote "yea."

REASONS FOR VOTES ON HOUSE
BILL NO. 77

We voted against the engrossment of House Bill No. 77 as substituted by the Bradbury amendment, the suspension of the constitutional rule thereon, and the final passage thereof because of the fact that the bill represents the united efforts of a bloc who represent a minority of the people of the State in their efforts to defeat the effect of repeal of constitutional prohibition, and serves to thwart the will of the people expressed at the polls, and by its provisions will serve to encourage rather than discourage intemperance and by its terms will increase rather than decrease the activities of the bootlegger, and will, by its unreasonable restrictions, deprive the State of Texas of the much needed revenue from the sale of distilled liquors which was anticipated to be forthcoming at the time the citizens of Texas voted for repeal.

HANKAMER,
JACKSON,
CLAYTON,
KNETSCH,
McKEE,
ROANE,
NEWTON,
JAMES,
SMITH.

MOTION TO TAKE UP HOUSE
BILL NO. 77

Mr. Wells moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 77 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths votes) by the following vote:

Yeas—91

| | |
|------------------|-------------------|
| Adamson | Cagle |
| Adkins | Canon |
| Aikin | Cooper |
| Alexander | Cowley |
| Alsup | Craddock |
| Ash | Daniel |
| Beck | Davison of Fisher |
| Bergman | Davisson |
| Bradbury | of Eastland |
| Bradford | Dunagan |
| Broyles | Dunlap of Hays |
| Burton | England |
| Butler of Brazos | Fain |

| | |
|-------------------|-------------------|
| Farmer | Nicholson |
| Ford | Palmer |
| Fox | Patterson |
| Frazer | Payne |
| Gibson | Petsch |
| Glass | Quinn |
| Good | Reed of Bowie |
| Graves | Roach of Angelina |
| Gray | Roach of Hunt |
| Hardin | Roark |
| Harris of Archer | Roberts |
| Head | Rogers |
| Hodges | Russell |
| Huddleston | Rutta |
| Hunt | Sessions |
| Hunter | Settle |
| Jones of Atascosa | Shofner |
| Jones of Falls | Stanfield |
| Jones of Shelby | Steward |
| Jones of Wise | Stinson |
| Keefe | Stovall |
| Lanning | Tarwater |
| Latham | Tennyson |
| Leath | Tillery |
| Lemens | Venable |
| Leonard | Waggoner |
| Lindsey | Walker |
| Lucas | Wells |
| McConnell | Westfall |
| McFarland | Wood of Harrison |
| Moffett | Wood of Montague |
| Morris | Worley |
| Morrison | Youngblood |

Nays—44

| | |
|------------------|----------------|
| Butler of Karnes | James |
| Caldwell | Jefferson |
| Celaya | King |
| Clayton | Knetsch |
| Collins | Lotief |
| Colquitt | McCalla |
| Colson | McKee |
| Crossley | McKinney |
| Dickison | Moore |
| Duvall | Morse |
| Dwyer | Newton |
| Fuchs | Padgett |
| Greathouse | Pope |
| Hankamer | Reader |
| Hanna | Reed of Dallas |
| Harris of Dallas | Riddle |
| Hartzog | Roane |
| Herzik | Scarborough |
| Hill | Smith |
| Hofheinz | Spears |
| Holland | Thornton |
| Jackson | Young |

Present—Not Voting

| | |
|-------------------|---------|
| Atchison | Luker |
| | Absent |
| Dunlap of Kleberg | Hyder |
| Fisher | Lange |
| Howard | Mauritz |

Absent—Excused

| | |
|---------|-----------|
| Bourne | Fitzwater |
| Calvert | Hoskins |
| Davis | Olsen |

HOUSE BILL NO. 71 WITH
SENATE AMENDMENTS

Mr. Dickison called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 71, A bill to be entitled "An Act authorizing school trustees in all counties of the State, having a population of not less than two hundred ninety thousand (290,000) or more than three hundred twenty thousand (320,000) inhabitants, according to the last preceding Federal Census, to issue interest bearing warrants in payment of salaries of employees; specifying that the rate of interest shall not exceed four per cent (4%) per annum; limiting the amount of warrants to be issued; etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Dickison, the House concurred in the Senate amendments by the following vote:

Yeas—126

| | |
|-------------------|------------------|
| Adamson | Dickison |
| Adkins | Dunagan |
| Aikin | Dunlap of Hays |
| Alexander | Duvall |
| Alsup | Dwyer |
| Ash | England |
| Atchison | Fain |
| Beck | Farmer |
| Bergman | Fisher |
| Bradbury | Ford |
| Bradford | Fox |
| Broyles | Frazer |
| Burton | Glass |
| Butler of Brazos | Good |
| Butler of Karnes | Graves |
| Cagle | Greathouse |
| Caldwell | Hankamer |
| Canon | Hanna |
| Celaya | Hardin |
| Collins | Harris of Archer |
| Colquitt | Harris of Dallas |
| Colson | Hartzog |
| Cooper | Head |
| Craddock | Herzik |
| Crossley | Hill |
| Daniel | Hodges |
| Davison of Fisher | Hofheinz |
| Davison | Huddleston |
| of Eastland | Hunt |

| | |
|-------------------|-------------------|
| Hunter | Petsch |
| Hyder | Pope |
| Jackson | Quinn |
| James | Reader |
| Jefferson | Reed of Bowie |
| Jones of Atascosa | Reed of Dallas |
| Jones of Falls | Riddle |
| Jones of Wise | Roach of Angelina |
| Keefe | Roark |
| King | Rogers |
| Knetsch | Russell |
| Lanning | Rutta |
| Latham | Scarborough |
| Leath | Sessions |
| Lemens | Settle |
| Leonard | Shofner |
| Lindsey | Smith |
| Lotief | Spears |
| Lucas | Steward |
| McCalla | Stinson |
| McConnell | Stovall |
| McFarland | Tarwater |
| McKee | Tennyson |
| McKinney | Thornton |
| Moffett | Venable |
| Moore | Waggoner |
| Morris | Walker |
| Morrison | Wells |
| Morse | Westfall |
| Newton | Wood of Harrison |
| Nicholson | Wood of Montague |
| Padgett | Worley |
| Palmer | Young |
| Patterson | Youngblood |
| Payne | |

Present—Not Voting

Roane

Absent

| | |
|-------------------|---------------|
| Clayton | Lange |
| Cowley | Luker |
| Dunlap of Kleberg | Mauritz |
| Fuchs | Roach of Hunt |
| Gibson | Roberts |
| Holland | Stanfield |
| Howard | Tillery |
| Jones of Shelby | |

Absent—Excused

| | |
|-----------|---------|
| Bourne | Gray |
| Calvert | Hoskins |
| Davis | Olsen |
| Fitzwater | |

MOTIONS TO TAKE UP HOUSE
BILL NO. 77

Mr. Wells moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 77 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths votes) by the following vote:

Yeas—99

| | |
|-------------------|-------------------|
| Adamson | Keefe |
| Adkins | Lanning |
| Aikin | Latham |
| Alexander | Leath |
| Alsup | Lemens |
| Ash | Leonard |
| Atchison | Lindsey |
| Beck | Lotief |
| Bradbury | Lucas |
| Bradford | Luker |
| Broyles | McConnell |
| Burton | McFarland |
| Butler of Brazos | Moffett |
| Cagle | Morris |
| Canon | Morrison |
| Celaya | Nicholson |
| Cooper | Palmer |
| Cowley | Patterson |
| Craddock | Payne |
| Daniel | Petsch |
| Davison of Fisher | Quinn |
| Davisson | Reader |
| of Eastland | Reed of Bowie |
| Dunagan | Roach of Angelina |
| Dunlap of Hays | Roach of Hunt |
| Dunlap of Kleberg | Roark |
| England | Rogers |
| Fain | Russell |
| Farmer | Rutta |
| Ford | Sessions |
| Fox | Settle |
| Frazer | Shofner |
| Gibson | Spears |
| Glass | Stanfield |
| Good | Steward |
| Graves | Stinson |
| Gray | Stovall |
| Hardin | Tarwater |
| Harris of Archer | Tennyson |
| Head | Tillery |
| Herzik | Venable |
| Hodges | Waggoner |
| Huddleston | Walker |
| Hunt | Wells |
| Hunter | Westfall |
| Hyder | Wood of Harrison |
| Jones of Atascosa | Wood of Montague |
| Jones of Falls | Worley |
| Jones of Shelby | Young |
| Jones of Wise | Youngblood |

Nays—36

| | |
|------------------|------------------|
| Bergman | Duvall |
| Butler of Karnes | Dwyer |
| Caldwell | Fuchs |
| Clayton | Greathouse |
| Collins | Hankamer |
| Colquitt | Hanna |
| Colson | Harris of Dallas |
| Crossley | Hartzog |
| Dickison | Hill |

| | |
|-----------|----------------|
| Hofheinz | Moore |
| Holland | Morse |
| Jackson | Newton |
| James | Padgett |
| Jefferson | Pope |
| Knetsch | Reed of Dallas |
| McCalla | Roane |
| McKee | Scarborough |
| McKinney | Thornton |

Absent

| | |
|--------|---------|
| Fisher | Mauritz |
| Howard | Riddle |
| King | Roberts |
| Lange | Smith |

Absent—Excused

| | |
|---------|-----------|
| Bourne | Fitzwater |
| Calvert | Hoskins |
| Davis | Olsen |

Mr. Wells moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 77 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths votes) by the following vote:

Yeas—100

| | |
|-------------------|-------------------|
| Adamson | Fisher |
| Adkins | Ford |
| Aikin | Fox |
| Alexander | Frazer |
| Alsup | Gibson |
| Ash | Glass |
| Atchison | Good |
| Beck | Graves |
| Bergman | Gray |
| Bradbury | Hardin |
| Bradford | Harris of Archer |
| Broyles | Head |
| Burton | Herzik |
| Butler of Brazos | Hodges |
| Cagle | Huddleston |
| Canon | Hunt |
| Celaya | Hunter |
| Cooper | Jones of Atascosa |
| Cowley | Jones of Falls |
| Craddock | Jones of Shelby |
| Crossley | Jones of Wise |
| Daniel | Keefe |
| Davison of Fisher | Lanning |
| Davisson | Latham |
| of Eastland | Lemens |
| Dunagan | Leonard |
| Dunlap of Hays | Lindsey |
| Dunlap of Kleberg | Lotief |
| England | Lucas |
| Fain | Luker |
| Farmer | McConnell |

| | |
|-------------------|------------------|
| Moffett | Shofner |
| Morris | Smith |
| Nicholson | Spears |
| Palmer | Stanfield |
| Patterson | Steward |
| Payne | Stinson |
| Petsch | Stovall |
| Pope | Tarwater |
| Quinn | Tennyson |
| Reader | Tillery |
| Reed of Bowie | Venable |
| Roach of Angelina | Waggoner |
| Roach of Hunt | Walker |
| Roark | Wells |
| Roberts | Westfall |
| Rogers | Wood of Harrison |
| Russell | Wood of Montague |
| Rutta | Worley |
| Sessions | Youngblood |
| Settle | |

Nays—36

| | |
|------------------|----------------|
| Butler of Karnes | Jackson |
| Caldwell | James |
| Clayton | Jefferson |
| Collins | King |
| Colquitt | Knetsch |
| Colson | McCalla |
| Dickison | McKee |
| Duvall | McKinney |
| Dwyer | Moore |
| Fuchs | Morse |
| Greathouse | Newton |
| Hankamer | Padgett |
| Hanna | Reed of Dallas |
| Harris of Dallas | Riddle |
| Hartzog | Roane |
| Hill | Scarborough |
| Hofheinz | Thornton |
| Holland | Young |

Absent

| | |
|--------|-----------|
| Howard | Leath |
| Hyder | Mauritz |
| Lange | McFarland |

Absent—Excused

| | |
|-----------|----------|
| Bourne | Hoskins |
| Calvert | Morrison |
| Davis | Olsen |
| Fitzwater | |

MOTION TO TAKE UP HOUSE
BILL NO. 79

Mr. Hofheinz moved that the regular order of business be suspended, to take up and have placed on its second reading, and passage to engrossment,

H. B. No. 79, A bill to be entitled "An Act defining the term 'open saloon'; regulating the manufacture, sale, importation, transportation and possession of alcoholic liquors; pre-

scribing rules and regulations and the right of local option; providing for a system of permits; levying taxes; prescribing penalties for violations; etc., and declaring an emergency."

Question recurring on the motion by Mr. Hofheinz, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—64

| | |
|-------------------|----------------|
| Alexander | Knetsch |
| Ash | Leonard |
| Bergman | Lotief |
| Butler of Karnes | Luker |
| Caldwell | McCalla |
| Celaya | McKee |
| Clayton | McKinney |
| Collins | Moore |
| Colson | Morse |
| Crossley | Newton |
| Dickison | Nicholson |
| Dunagan | Padgett |
| Dunlap of Kleberg | Patterson |
| Duvall | Payne |
| Dwyer | Pope |
| Ford | Quinn |
| Fuchs | Reader |
| Good | Reed of Dallas |
| Greathouse | Riddle |
| Hankamer | Roane |
| Hanna | Roberts |
| Harris of Dallas | Rutta |
| Hartzog | Scarborough |
| Herzik | Settle |
| Hill | Smith |
| Hofheinz | Spears |
| Holland | Stanfield |
| Jackson | Steward |
| James | Stinson |
| Jefferson | Thornton |
| Jones of Falls | Tillery |
| King | Young |

Nays—67

| | |
|-------------------|------------------|
| Adamson | Davisson |
| Adkins | of Eastland |
| Aikin | Dunlap of Hays |
| Alsup | England |
| Atchison | Fain |
| Bradbury | Farmer |
| Bradford | Fisher |
| Broyles | Fox |
| Burton | Frazer |
| Cagle | Gibson |
| Canon | Glass |
| Colquitt | Graves |
| Cooper | Gray |
| Cowley | Hardin |
| Craddock | Harris of Archer |
| Daniel | Head |
| Davison of Fisher | Hodges |

| | |
|-------------------|-------------------|
| Huddleston | Roach of Angelina |
| Hunt | Roark |
| Hunter | Rogers |
| Hyder | Russell |
| Jones of Atascosa | Sessions |
| Jones of Shelby | Shofner |
| Jones of Wise | Stovall |
| Keefe | Tarwater |
| Latham | Tennyson |
| Lemens | Venable |
| Lindsey | Waggoner |
| Lucas | Walker |
| McConnell | Wells |
| Moffett | Westfall |
| Morris | Wood of Harrison |
| Palmer | Wood of Montague |
| Reed of Bowie | Youngblood |

Absent

| | |
|------------------|---------------|
| Beck | Mauritz |
| Butler of Brazos | McFarland |
| Howard | Petsch |
| Lange | Roach of Hunt |
| Lanning | Worley |
| Leath | |

Absent—Excused

| | |
|-----------|----------|
| Bourne | Hoskins |
| Calvert | Morrison |
| Davis | Olsen |
| Fitzwater | |

HOUSE BILL NO. 98 ON SECOND
READING

Mr. Frazer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 98 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131

| | |
|------------------|-------------------|
| Adamson | Clayton |
| Adkins | Collins |
| Aikin | Colquitt |
| Alexander | Colson |
| Alsup | Cooper |
| Ash | Cowley |
| Atchison | Craddock |
| Beck | Crossley |
| Bergman | Daniel |
| Bradbury | Davison of Fisher |
| Bradford | Davison |
| Broyles | of Eastland |
| Burton | Dunagan |
| Butler of Karnes | Dunlap of Hays |
| Cagle | Dunlap of Kleberg |
| Caldwell | Duvall |
| Canon | Dwyer |
| Celaya | England |

| | |
|-------------------|-------------------|
| Fain | Moffett |
| Farmer | Moore |
| Fisher | Morris |
| Ford | Morrison |
| Fox | Morse |
| Frazer | Newton |
| Fuchs | Nicholson |
| Gibson | Padgett |
| Glass | Palmer |
| Good | Patterson |
| Graves | Payne |
| Gray | Petsch |
| Greathouse | Pope |
| Hankamer | Quinn |
| Hanna | Reader |
| Hardin | Reed of Bowie |
| Harris of Archer | Reed of Dallas |
| Harris of Dallas | Riddle |
| Hartzog | Roach of Angelina |
| Head | Roach of Hunt |
| Herzik | Roane |
| Hill | Roark |
| Hodges | Roberts |
| Hofheinz | Rogers |
| Holland | Russell |
| Hunter | Rutta |
| Hyder | Scarborough |
| Jackson | Sessions |
| James | Settle |
| Jefferson | Shofner |
| Jones of Atascosa | Smith |
| Jones of Falls | Stanfield |
| Jones of Shelby | Steward |
| Jones of Wise | Stinson |
| Keefe | Stovall |
| King | Tarwater |
| Knetsch | Tennyson |
| Latham | Thornton |
| Lemens | Tillery |
| Leonard | Venable |
| Lindsey | Waggoner |
| Lotief | Walker |
| Lucas | Wells |
| Luker | Westfall |
| McCalla | Wood of Harrison |
| McConnell | Wood of Montague |
| McFarland | Young |
| McKinney | Youngblood |

Absent

| | |
|------------------|---------|
| Butler of Brazos | Lanning |
| Dickison | Leath |
| Howard | Mauritz |
| Huddleston | McKee |
| Hunt | Spears |
| Lange | Worley |

Absent—Excused

| | |
|---------|-----------|
| Bourne | Fitzwater |
| Calvert | Hoskins |
| Davis | Olsen |

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 98, A bill to be entitled "An Act creating a special road law for Robertson County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of August 12, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 98 ON THIRD READING

The Speaker then laid House Bill No. 98 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—130

| | |
|-------------------|-------------------|
| Adamson | Fain |
| Adkins | Farmer |
| Aikin | Fisher |
| Alexander | Ford |
| Alsup | Frazer |
| Ash | Fuchs |
| Atchison | Gibson |
| Beck | Glass |
| Bergman | Good |
| Bradbury | Graves |
| Bradford | Gray |
| Broyles | Greathouse |
| Burton | Hankamer |
| Butler of Brazos | Hanna |
| Cagle | Hardin |
| Caldwell | Harris of Archer |
| Canon | Harris of Dallas |
| Celaya | Hartzog |
| Clayton | Head |
| Collins | Herzik |
| Colquitt | Hill |
| Colson | Hodges |
| Cooper | Hofheinz |
| Cowley | Holland |
| Craddock | Huddleston |
| Crossley | Hunter |
| Daniel | Hyder |
| Davison of Fisher | Jackson |
| Davisson | James |
| of Eastland | Jefferson |
| Dunagan | Jones of Atascosa |
| Dunlap of Hays | Jones of Falls |
| Dunlap of Kleberg | Jones of Shelby |
| Duvall | Jones of Wise |
| Dwyer | Keefe |
| England | King |

| | |
|----------------|-------------------|
| Knetsch | Riddle |
| Latham | Roach of Angelina |
| Lemens | Roach of Hunt |
| Leonard | Roark |
| Lindsey | Roberts |
| Lotief | Rogers |
| Lucas | Russell |
| Luker | Rutta |
| McCalla | Scarborough |
| McConnell | Sessions |
| McFarland | Settle |
| McKee | Smith |
| McKinney | Stanfield |
| Moffett | Steward |
| Moore | Stinson |
| Morris | Stovall |
| Morrison | Tarwater |
| Morse | Tennyson |
| Newton | Thornton |
| Nicholson | Tillery |
| Padgett | Venable |
| Palmer | Waggoner |
| Patterson | Walker |
| Payne | Wells |
| Petsch | Westfall |
| Pope | Wood of Harrison |
| Quinn | Wood of Montague |
| Reader | Young |
| Reed of Bowie | Youngblood |
| Reed of Dallas | |

Present—Not Voting

Roane

Absent

| | |
|------------------|---------|
| Butler of Karnes | Lanning |
| Dickison | Leath |
| Fox | Mauritz |
| Howard | Shofner |
| Hunt | Spears |
| Lange | Worley |

Absent—Excused

| | |
|---------|-----------|
| Bourne | Fitzwater |
| Calvert | Hoskins |
| Davis | Olsen |

ADJOURNMENT

Mr. Scarborough moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Moffett moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Moffett, it prevailed, and the House, accordingly, at 4:30 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Education: House Bill No. 99.

Highways and Motor Traffic: House Bills Nos. 95 and 98.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, November 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 12, Instructing the Enrolling Clerk of the House to amend the caption of House Bill No. 57 to conform to the body of the bill.

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, November 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 13, Granting Judge T. O. Davis permission to be absent from the State of Texas during the years 1935 and 1936.

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

NINTH DAY

(Wednesday, November 6, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the Speaker announced that there was not a quorum present.

Mr. Reed of Bowie moved a call of the House for the purpose of securing and maintaining a quorum, until 12:00 o'clock m., today, and the call was duly ordered.

On motion of Mr. Reed of Bowie, the Sergeant-at-Arms was instructed

to bring in all absent members within the city who are not ill.

The roll of the House was again called, and the following Members were present:

| | |
|-------------------|-------------------|
| Mr. Speaker | Hartzog |
| Adamson | Head |
| Adkins | Herzik |
| Aikin | Hodges |
| Alexander | Hofheinz |
| Alsup | Holland |
| Ash | Hoskins |
| Atchison | Howard |
| Beck | Huddleston |
| Bergman | Hunt |
| Bradbury | Hunter |
| Bradford | Hyder |
| Broyles | Jackson |
| Burton | James |
| Butler of Brazos | Jefferson |
| Butler of Karnes | Jones of Atascosa |
| Cagle | Jones of Falls |
| Caldwell | Jones of Shelby |
| Calvert | Jones of Wise |
| Canon | Keefe |
| Celaya | King |
| Clayton | Knetsch |
| Collins | Lange |
| Colson | Lanning |
| Cooper | Latham |
| Cowley | Leath |
| Craddock | Lemens |
| Crossley | Leonard |
| Daniel | Lindsey |
| Davison of Fisher | Lotief |
| Davisson | Lucas |
| of Eastland | Luker |
| Dickison | Mauritz |
| Dunagan | McCalla |
| Dunlap of Hays | McConnell |
| Dunlap of Kleberg | McFarland |
| Duvall | McKee |
| Dwyer | McKinney |
| England | Moffett |
| Fain | Moore |
| Farmer | Morris |
| Fisher | Morrison |
| Ford | Morse |
| Fox | Newton |
| Frazer | Nicholson |
| Fuchs | Olsen |
| Gibson | Padgett |
| Glass | Palmer |
| Good | Patterson |
| Graves | Payne |
| Gray | Petsch |
| Greathouse | Pope |
| Hankamer | Quinn |
| Hanna | Reader |
| Hardin | Reed of Bowie |
| Harris of Archer | Reed of Dallas |
| Harris of Dallas | Riddle |